IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CIVIL APPLICATION NO.1659 of 2004.
IN
SECOND APPEAL NO.1226 OF 2004.

Office notes, office memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

Shri A.S.Khandeparkar for the Applicant.

Mrs.Shakuntala Mudbidri for the Respondents Nos.1 to 4.

CORAM : ABHAY S.OKA, J.

DATED : 27th July, 2006.

P.C.:

1. Heard the learned Advocates appearing for the parties. The Second Appeal is admitted for final hearing. Considering the nature of the impugned decree no case is made out for grant of a blanket stay.

2. Civil Application is disposed of by the following order:

i) The proceedings for partition to proceed further. However, final partition by metes and bounds shall not be effected without the prior permission of this Court.

ii) Till final disposal of the Appeal, the

Applicants will not create any third party interests in respect of the suit property.

iii) No order as to costs.

Judge.